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66547	7590	04/02/2008	EXAMINER	
THE FARRELL LAW FIRM, P.C. 333 EARLE OVINGTON BOULEVARD SUITE 701 UNIONDALE, NY 11553			CHAN, RICHARD	
ART UNIT	PAPER NUMBER			
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/724,671	Applicant(s) PARK ET AL.
	Examiner RICHARD CHAN	Art Unit 2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 19 March 2008.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-6 and 8 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-6, and 8 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/0256/06)
 Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____

5) Notice of Informal Patent Application

6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The applicant has added limitation to the current set of claims "the second housing and the third housing rotating together about the hinge axis with respect to the first housing to expose both the first display....". No where in the specification does the applicant disclose wherein the third housing 30 rotates about the hinge axis. The applicant discloses in Fig.4 of the instant application as the third housing 30 is completely accommodated in the opening space 10e. page 6 of the specification, however nowhere does the applicant disclose the third housing rotating about an axis.

Response to Arguments

3. Applicant's arguments with respect to claim have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1 – 3, 5 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Kokubo (US 2003/0119562).

With respect to claim 1, Kokubo disclose a portable communication apparatus **100**, comprising: a) first housing **160** including an open space surrounding display **142** and a pair of hinge supports **140**, the open space having at least one opening, the hinge supports extending longitudinally and surrounding opposite sides of the open space, the first housing having a first upper surface (keypad) and a first lower surface (battery);
b) a hinge axis extending across the open space, paragraph **[0039]**;
c) a second housing **120** including a first display **122** **[0038]**, the second housing connected to the first housing **160** and rotatable about the hinge axis between an open position and a closed position with respect to the first housing; and
d) a third housing surrounding including a second display **142**, extending in a longitudinal direction of the second housing **120** to be accommodated in the open space to enable the third housing to rotate about the hinge axis **140**,

e) the second display **142** being exposed and facing about the first upper surface (keypad) when the second housing is at the open position **Fig.1A**, the second display **142** being exposed and facing the first lower surface when the second housing is at the closed position. **Fig.1B**

With respect to claim 2, Kokubo discloses the portable communication apparatus **100** according to claim 1, wherein the first housing **160** on the first upper surface (keypad) a plurality of keys and a microphone **108**, and the second housing **120** has a lower surface including a speaker device **104**.

With respect to claim 3, Kokubo discloses the portable communication apparatus **100** according to claim 1, wherein the third housing surrounding second display **142** is integrally connected to the second housing **120**.

With respect to claim 5, Kokubo discloses the portable communication apparatus **100**, comprising: a first housing **160** including an open space between the pair of hinge supports in hinge module **140**, the open space having at least one opening, the hinge supports extending longitudinally and surrounding opposite sides of the open space, the first housing having a first upper surface (keypad) and a first lower surface (battery);

a hinge axis extending across the open space;

a second housing **120** including a first display **122** and a second display **142**, the second housing **120** connected to the first housing **160**, the second housing **120**

rotating about the hinge axis **140** to expose at an open position **Fig.1a** both the first display **122** and the second display **142** facing the first upper surface, and to expose at a closed position **Fig.1b** the second display **142** facing the first lower surface on **Fig.1B** with respect to the first housing **160**.

With respect to claim 6, Kokubo discloses the portable communication apparatus **100** according to claim 5, wherein the first housing **160** has on the first upper surface a plurality of keys **162** and a microphone **108**, and wherein the second housing **120** has a second lower surface including a speaker device **104**.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kokubo (US 2003/0119562 A1) in view of Kido (US 2001/0016508).

With respect to claim 4, Kokubo discloses the portable communication apparatus according to claim 2, however Kokubo does not specifically disclose wherein a third lower surface of the third housing protrudes from the lower surface in a stepped shape.

The Kido reference however discloses a secondary display **102** located on a third housing unit **109** wherein the third housing is protruding from the lower surface of the second housing **105**.

It would have been obvious to one of ordinary skill in the art to implement a protruding surface to house the secondary display as disclosed by Kido in order to

properly view the display while the apparatus is in the "closed" position.

With respect to claim 8, Kokubo discloses the portable communication apparatus according to claim 6, however Kokubo does not disclose a bottom portion of the second housing protrudes from the second lower surface with a stepped shape.

The Kido reference however discloses a secondary display **102** located on a third housing unit **109** wherein the third housing is protruding from the lower surface of the second housing **105**.

It would have been obvious to one of ordinary skill in the art to implement a protruding surface to house the secondary display as disclosed by Kido in order to properly view the display while the apparatus is in the "closed" position.

The Kokubo and Kido references are analogous art because both references disclose electronic apparatuses, which are of the foldable type.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD CHAN whose telephone number is (571)272-0570. The examiner can normally be reached on Mon - Fri (9AM - 5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571)272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Richard Chan/
Examiner, Art Unit 2618

/Nay A. Maung/
Supervisory Patent Examiner, Art
Unit 2618